

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FERNANDO LOZANO,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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1:24-CV-111-RP
[1:21-CR-71-RP-1]

ORDER

Before the Court is Petitioner Fernando Lozano’s (“Lozano”) Petition for a Writ of Habeas Corpus. (Dkt. 55). Lozano filed his petition on January 30, 2024. (*Id.*). The case was referred to United States Magistrate Judge Mark Lane for findings and recommendations, pursuant to 28 U.S.C. § 636(b). Judge Lane filed his report and recommendation on August 28, 2024. (Dkt. 66). In his report and recommendation, Judge Lane recommends that the Court deny Lozano’s petition because he did not show ineffective assistance of counsel nor any other grounds to question the constitutionality of his conviction or his sentence. (Dkt. 66, at 14–15). Lozano filed objections to the report and recommendation. (Dkt. 69).

A party may serve and file specific, written objections to a magistrate judge’s findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). Because Lozano objected to each portion of the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so and for the reasons given in the report and recommendation, the Court overrules Lozano’s objections and adopts the report and recommendation as its own order.

Accordingly, **IT IS ORDERED** that the report and recommendation of United States Magistrate Judge Mark Lane, (Dkt. 66), is **ADOPTED**. Lozano's Petition for a Writ of Habeas Corpus, (Dkt. 55), is **DENIED**.

It is **FURTHER ORDERED** that a certificate of appealability is **DENIED**.

SIGNED on December 9, 2024.

A handwritten signature in blue ink, appearing to read 'R. Pitman', is written above a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE